

REMARKS

By this amendment, claims 1-43, 45-97, and 99-113 are pending, in which claims 1-2, 6, 58-59, 63, and 112-113 are currently amended. No new matter is introduced.

The Office Action mailed July 9, 2003 objected to claims 29-43, 47-49, 84-97, and 101-103 as allowable and rejected claims 1-28, 45-46, 50-83, 99-100, and 104-113 under 35 U.S.C. § 102 as anticipated by *Brandt et al.* (US 6,377,993), claims 1-3, 58-60, and 112-113 as anticipated by *Hind et al.* (US 5,987,523), claims 4 and 61 as obvious under 35 U.S.C. § 103 based on *Hind et al.* in view of *Carroll* (US 6,105,131), claims 5 and 62 over *Hind* in view of *Riggins et al.* (US 6,131,116), claims 6-7, 9, 11-15, 63-64, and 67-71 over *Hind* and *Riggins* in view of *Radia et al.* (US 5,848,233), claims 8 and 65 over *Hind*, *Riggins*, and *Radia et al.* in view of *Chung et al.* (US 6,012,090), claims 10 and 66 over *Hind*, *Riggins*, and *Radia et al.* in view of *Montulli* (US 5,774,670) and *Harrison et al.* (US 5, 208,908), claims 16-19 and 72-75 over *Hind*, *Riggins*, and *Radia et al.* in view of *Peterson et al.* (US 2001/0003828), claims 20-23 and 76-78 over *Hind*, *Riggins*, *Radia et al.*, *Peterson et al.* and in view of *Elliott et al.* (US 5,610,915), claims 50-51, 53, 104-105, and 107 over *Hind* in view of *Montulli*, claims 52, 54-55, 106, and 108-109 over *Hind* and *Montulli* in view of *Cianfrocca et al.* (US 6,088,796).

With respect to the rejection of claims 1-28, 45-46, 50-83, 99-100, and 104-113 over *Brandt et al.*, a petition is filed herewith to correct inventorship of the present application. Consequently, the present application is now entitled to receive the benefit of the earlier filing date of provisional patent application No. 60/060,655, filed September 26, 1997, and the rejection of claims 1-28, 45-46, 50-83, 99-100, and 104-113 over *Brandt et al.* is moot.

Furthermore, the present application's perfected claim to the benefit of provisional patent application No. 60/060,655 (September 26, 1997) also renders moot the rejection of claims 16-23

and 72-78 over *Peterson et al.*, since *Peterson et al.*, which has a filing date of October 28, 1997, is no longer available as a reference under 35 U.S.C. § 102(e).

Concerning the rejection of 1-15, 50-55, 58-71, 104-109, and 112-113 claims over *Hind* individually or in combination with one or more of *Carroll, Riggins et al., Radia et al., Chung et al., Montulli, Harrison et al.,* and/or *Cianfrocca et al.*, this rejection is respectfully traversed because none of these references teach the features of the independent claims.

For example, independent claim 1 recites “wherein upon successful authentication of said customer, the logon object is configured to send a command to the authentication server to initiate a download of said one or more client applications.” This feature is not shown in the applied references. In the rejection of claims 6 and 63, the Office Action admits that “*Hind-Riggins does not explicitly [show that] the system comprises a logon object*” (p. 12), yet contends that *Radia* (col. 8:30-67) has an applet function, “which is equivalent [to] the claimed logon object and inherent in the use of the logon object to create ...” etc. (p. 12). However, *Radia* does not teach or suggest a logon object that, upon successful authentication of said customer, sends a command to initiate a download of a client application; rather, *Radia et al.* in the cited column merely states that its login applet selects one of the filtering rules 404 for selectively forwarding IP packets to a particular address 502. The recited feature is not inherent in *Radia et al.* disclosure, since, under the principles of inherency, *Radia et al.* must necessarily function in accordance with, or include, the recited features, *MEHL/Biophile Int'l.*, 52 USPQ2d 1303 (Fed. Cir. 1999), and this is not the case for *Radia et al.*'s selective packet filtering. The Office Action did not rely on any of the other applied references for this feature, and properly so.

As for independent claims 53 and 112-113, *Radia et al.*'s selective packet filtering fails to teach or suggest the logon object recited in claims 53 and 112-113 to send a command to initiate a download of a client application.

Accordingly, dependent claims 2-15, 50-52, 5455, 58-71, 104-109 are allowable for at least the same reasons as their independent claims. Moreover, claims 4 and 61 are further patentable because the applied references fail to teach the features recited in these claims, such as “digital certificates to authenticate a secure web server to said client browser.” The only reference applied for this feature is *Carroll*, but *Carroll* merely discloses use of a digital certification to authenticate the user (e.g., col. 8:7:29-30), not a “secure web server” as recited in claims 4 and 61.

Finally, the invocation of Office Notice in the rejection of claims 16-19 and 72-75 is traversed. The MPEP § 2144.03 that “[i]f application adequately traverses the examiner’s assertion of official notice, the examiner must provide documentary evidence in the next Office action if the rejection is to be maintained.” For this reason, *Spielman* (US 5,088,052) and *Brady* (US 5,557,668) were submitted in the Office Action to support the invocation of Official Notice, but these submitted references at best merely provide such support that is limited to the extent of their disclosures. Since the Official Notice is still being maintained and these references were not actually applied in the rejection of the claims, these references clearly do not support the full extent of the Official Notice and therefore do not satisfy the obligation to provide the necessary documentary evidence. Accordingly, the Examiner is respectfully requested to withdraw the Official Notice if no reference supporting the full extent of the Official Notice can be found.

Therefore, applicants respectfully submit that the present application, as amended, overcomes the objections and rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at 703-425-8516 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

DITTHAVONG & CARLSON, P.C.

12/9/2003

Date


Michael G. Whem Reg. No. 41,237
for Stephen C. Carlson
Attorney/Agent for Applicant(s)
Reg. No. 39929

10507 Braddock Road
Suite A
Fairfax, VA 22032
Tel. 703-425-8516
Fax. 703-425-8518